

DIAA Board of Directors' Meeting Minutes
Thursday, September 13, 2018– 9:00 a.m.
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 9:01 a.m. by Chairperson Dr. Bradley Layfield.

B. Roll Call

The following DIAA Board members were present: Stan Waterman, Dr. Matthew Donovan, Dr. Kathleen Andrus, Dr. Evelyn Edney, Ted Laws, Dr. Bradley Layfield, Mike Hart, Dr. Kevin Fitzgerald, Mike Breeding, Vetra Evans-Gunter, and Jeremy Jeanne. Thomas Neubauer, Executive Director, Laura Makransky, Deputy Attorney General and Michael Rodriguez, Associate Secretary of Education were in attendance. Dr. Mervin Daugherty, Robert Watson, Gary Cimaglia, and Dr. Bradley Bley were unable to attend. Douglas Thompson, Robert Cilento, Leroy Mann and Bruce Harris joined the meeting late.

C. Approval of Agenda

Mr. Laws made a motion to approve the agenda. The motion was seconded by Mr. Jeanne and carried unanimously, 11 – yes [Waterman, Donovan, Andrus, Edney, Laws, Layfield, Hart, Fitzgerald, Breeding, Evans-Gunter, and Jeanne] and 0 – no.

D. Approval of Minutes of DIAA August 9, 2018 Board Meeting

Mr. Breeding made a motion to approve the August 9, 2018 minutes. The motion was seconded by Dr. Donovan and carried by a vote of 11 – yes [Waterman, Donovan, Andrus, Edney, Laws, Layfield, Hart, Fitzgerald, Breeding, Evans-Gunter, and Jeanne] and 0 – no.

E. DIAA Financial Report

Mr. Neubauer reported that finances for this time of the year were normal with expenses being higher than income. The primary costs were the insurance premium, staff salaries, and benefits. Income to date was \$31,202.68, and expenses were \$163,731.93, resulting in a deficit of \$132,529.25. The total DIAA fund balance is now \$837,010.79. He also reported that he and Ms. Bates met with DOE Finance personnel Kim Klein and Casey Oravez to review the DIAA spending limit and if DIAA had any options for FY19 to exceed the set spending limit. The primary reason for the excess spending would be to set an amount the Board could use for the 100th anniversary of interscholastic athletics celebration. Ms. Klein stated that the DIAA limit was \$850,000.00 for FY19 and all DIAA spending for all purposes needed to come from that amount. Mr. Neubauer and Ms. Bates had also asked some questions they had regarding the monthly financial report, that information was shared with the Board.

Dr. Fitzgerald made a motion to approve the financial report. The motion was seconded by Mr. Hart and carried unanimously, 12 – yes [Waterman, Donovan, Andrus, Edney, Laws, Layfield, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Jeanne] and 0 – no.

II. Public Comment

Fred Fisher addressed the Board on the topic of coaching out of season and how it related to his child and club volleyball.

Trina LeClere addressed the Board on the topic of coaching out of season and how it related to her child and possible advancement to playing at the next level.

Michael LeClare addressed the Board on the topic of coaching out of season and how it related to his child and possible scholarship opportunities.

Valerie McCartan, Policy Advisor to the State Senate President Pro Tempore and Majority Caucus, spoke regarding Senate Concurrent Resolution 79 and shared remarks regarding the Resolution and the subject of coaching out of season from Senator Nicole Poore.

III. Action Items

A. Approval of Tournament Sanctions

Mr. Neubauer reported that there was 13 sanctioned events before the Board for approval – Cross Country: Unionville Two Mile Bash (9/8/18), Cherokee Challenge (9/8/18), Quad XC Invitational (9/8/18), Oatlands XC Invitational (9/15/18), Maryland Track and Trail (9/15/18), PIAA Foundation Invitational (9/22/18), Six Flags Wild Safari Inv. (9/29/18), and 46th Annual Tidewater Fall (10/3/18); Basketball – Governor’s Challenge Showcase (12/26 – 12/29/18) and Governor’s Challenge (12/26 – 12/29/18); and Wrestling: Delmar Invitational (12/7 – 12/8/18); 2019 Iron Horse Duals (1/4/19), and Battle at the Bridge (1/11 – 1/12/19). Mr. Neubauer stated that to the best of his knowledge the 13 events are in compliance with DIAA and NFHS regulations.

Mr. Cilento made a motion to approve the sanctioned events as recommended by the Executive Director. The motion was seconded by Dr. Edney and carried unanimously, 13 – yes [Waterman, Donovan, Andrus, Edney, Laws, Layfield, Cilento, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Jeanne] and 0 – no.

B. Request to Waive 1009.2.4 by Saint Elizabeth High School – 2018-9-1

The Board went into executive session for the purpose of discussing the contents of a pupil file, the disclosure of which would constitute an invasion of personal privacy.

The Board returned to open session.

Dr. Fitzgerald made a motion to grant the waiver request because all five conditions

for granting a waiver were established. The motion was seconded by Mr. Jeanne and carried by a vote of 12 – yes [Waterman, Donovan, Andrus, Edney, Laws, Cilento, Hart, Fitzgerald, Breeding, Evans-Gunter, Thompson, and Jeanne] and 1 – no [Layfield].

C. Request to Waive 1009.2.4 by Newark HS – 2018-9-2

The Board went into executive session for the purposes of discussing the contents of a pupil file, the disclosure of which would constitute an invasion of personal privacy.

The Board returned to open session.

Mr. Hart made a motion to grant the waiver request because all five conditions for granting a waiver were established. The motion was seconded by Mr. Waterman and carried by a vote of 13 – yes [Waterman, Donovan, Andrus, Edney, Laws, Layfield, Cilento, Hart, Fitzgerald, Mann, Breeding, Evans-Gunter, and Thompson] and 1 – no [Jeanne].

D. Request to Waive 1009.2.7 by Newark HS – 2018-9-3

The Board went into executive session for the purposes of discussing the contents of a pupil file, the disclosure of which would constitute an invasion of personal privacy.

The Board returned to open session.

Mr. Jeanne made a motion to grant the waiver request because all five conditions for granting a waiver were established. The motion was seconded by Mr. Hart and carried by a vote of 14 – yes [Waterman, Donovan, Andrus, Edney, Layfield, Cilento, Hart, Fitzgerald, Mann, Harris, Breeding, Evans-Gunter, Thompson, and Jeanne] and 0 – no.

E. Ratification of Interim Waiver

1. Request to Waive 1009.2.4 by Caravel Academy – 2018-9-4

Dr. Fitzgerald made a motion to ratify the Executive Director's decision to grant a waiver. The student, his family, and his school are not required to appear at the Board's October meeting. The motion was seconded by Mr. Jeanne and carried by a vote of 14 – yes [Waterman, Donovan, Andrus, Edney, Layfield, Cilento, Hart, Fitzgerald, Mann, Harris, Breeding, Evans-Gunter, Thompson, and Jeanne] and 0 – no.

F. Request to waive 1008.2.7.2.3. by Caravel Academy

Bill Perdew, Caravel Athletic Director, presented the request and gave sworn testimony on behalf of the school. Documents were presented for the Board to review. Mr. Neubauer gave sworn testimony about the current regulation and the history behind that regulation. The Board asked questions of Mr. Perdew and Mr. Neubauer.

The Board went into deliberation. The Board came out of deliberation.

Dr. Fitzgerald made a motion to table the request pending advice from the DIAA Sports Medicine Committee regarding sixth grade students. Mr. Breeding seconded the motion. The motion carried unanimously, 14 – yes [Waterman, Donovan, Andrus, Edney, Layfield, Cilento, Hart, Fitzgerald, Mann, Harris, Breeding, Evans-Gunter, Thompson, and Jeanne] and 0 – no.

G. Request to Join DIAA, UrbanPromise Academy

UrbanPromise Academy withdrew its request prior to the Board's meeting.

H. Request for grant money by the DE Association of Athletic Directors [DAAD]

Mike Hart recused himself from this item.

Joe Thomson, Jack Holloway, and Mr. Hart presented the request on behalf of DAAD. A document was presented with the financial request itemized by use. The Board asked questions of the representatives and Mr. Neubauer. Mr. Neubauer stated that the money for the grant was not included in the FY19 DIAA budget due to the shortfall from FY18 and the anticipated costs for FY19 being the same. Extensive discussion between the Board and presenters took place.

Dr. Fitzgerald made a motion to table the request until October for more information to be presented. Mr. Jeanne seconded the motion. The motion carried unanimously, 13 - yes [Waterman, Donovan, Andrus, Edney, Layfield, Cilento, Fitzgerald, Mann, Harris, Breeding, Evans-Gunter, Thompson, and Jeanne] and 0 – no.

I. Changes to 1008/1009-8.0 – Officials Fee Schedule

Mr. Hart made a motion to approve the officials fee schedule for publication. Mr. Jeanne seconded the motion and the motion carried unanimously, 12 – yes [Waterman, Donovan, Andrus, Edney, Layfield, Hart, Mann, Harris, Breeding, Evans-Gunter, Thompson, and Jeanne] and 0 – no.

J. Approval of Constitution of DIAA Hall of Fame

The Board discussed a draft of the constitution for the DIAA Hall of Fame, including amending the vote required for entry into the hall of fame to a simple majority.

Mr. Jeanne made a motion to approve the draft constitution with the one amendment. Mr. Hart seconded the motion and the motion carried unanimously, 13 – yes [Waterman, Donovan, Andrus, Edney, Layfield, Cilento, Hart, Mann, Harris, Breeding, Evans-Gunter, Thompson, and Jeanne] and 0 – no.

IV. Board Discussion Items

A. Extension of Elite event policy to wrestling [October 2017]

Mr. Neubauer informed the Board the DIAA Wrestling Committee will be considering criteria to use to ask that the 'elite' event exception that the Board approved at the October 2017 meeting for track be extended to wrestling. The Committee meets on 9/27/18 and will present a request at the October Meeting.

V. Committee Reports

None.

VI. Legal

Ms. Makransky reported that the changes to Regulations 1008 (Junior High and Middle School Interscholastic Athletics) and 1009 (High School Interscholastic Athletics) were published on September 1, 2018 and that written comments regarding the changes can be submitted by mail or email until October 2, 2018.

VII. Executive Director Report

Mr. Neubauer reported that the Coordinator's position has not been filled yet. The first candidate declined the job offer and DOE HR is moving onward to the second candidate chosen by the Interview Committee.

VIII. Other Items for Discussion

None

IX. Public Comment

Trina LeClere addressed the Board again and reiterated her thoughts on the topic of coaching out of season

X. Adjournment

Dr. Edney made a motion to adjourn. The motion was seconded by Ms. Evans-Gunter and carried unanimously, 13 – yes [Waterman, Donovan, Andrus, Edney, Layfield, Cilento, Hart, Mann, Harris, Breeding, Evans-Gunter, Thompson, and Jeanne] and 0 – no.

Thomas E. Neubauer